

**LEE M. PERLMAN  
ATTORNEY AT LAW  
1926 Greentree Rd, Suite 100  
Cherry Hill, NJ 08003  
(856) 751-4224  
ATTORNEY FOR PLAINTIFF, KIMBERLY HOOGSTRA**

	UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY CASE NO.: 09-23767-JHW
KIMBERLY HOOGSTRA  Debtor	AP NO.:  <u>ADVERSARY COMPLAINT</u>
KIMBERLY HOOGSTRA  Debtor/Plaintiff	
POLICE AND FIRE FEDERAL CREDIT UNION  Defendant	

#### I. INTRODUCTION

1. This is an action for sanctions brought by an individual consumer for Defendants' contempt of the Order Discharging the Plaintiff pursuant to 11 U.S.C. § 105(a).

#### II. JURISDICTION

2. The Plaintiff filed her Chapter 7 case on May 29, 2009. This Court has jurisdiction over the adversary proceeding pursuant to 28 U.S.C. § 157 and 1334. This adversary proceeding is a core proceeding. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. § 1337, and supplemental jurisdiction exists for state law claims pursuant to 28 U.S.C. § 1337.

#### III. PARTIES

3. The Plaintiff is a natural person residing at 192 Denver Avenue, Mantua, NJ 08051.

4. The Defendant Police and Fire Federal Credit Union (“herein PFFCU”), is a corporation or other business entity with a mailing address of 901 Arch Street, Philadelphia, PA 19107.

5. Linda L. McMackin is the duly appointed Chapter 7 Trustee in this case with an address of 669 Grove Road, Thorofare, NJ 08086-2219. Although not a party to this action, the Trustee is a party in interest and will receive notice of the adversary proceeding.

#### IV. FACTUAL ALLEGATIONS

6. The Plaintiff’s Chapter 7, no asset, case was commenced by filing a voluntary petition with the Clerk of this Court on May 29, 2009.

7. At that time, the Plaintiff included PFFCU in her “Schedule F” three times as an unsecured creditor for accounts ending in 7012, 7014, and 8586. A copy of the Plaintiff’s “Schedule F” is attached as Exhibit “A”.

8. On June 4, 2009, the Bankruptcy Noticing Center sent PFFCU notice of the Plaintiff’s Chapter 7 Bankruptcy filing. See the notice attached as Exhibit “B”.

9. On September 11, 2009, the Plaintiff’s Chapter 7 bankruptcy case was discharged. Notice of the discharge was sent to PFFCU on September 13, 2009, by the Bankruptcy Noticing Center. See the notice attached as Exhibit “C”.

10. On March 17, 2010, PFFCU filed a complaint against the Plaintiff in the Philadelphia Municipal Court in the First Judicial District of Pennsylvania, Docket number SC-10-03-17-5076, attempting to collect on the account ending in 7012. This account was included in the Plaintiff’s bankruptcy, in which, PFFCU already received notice of the bankruptcy filing and the bankruptcy discharge. A copy of the complaint is attached as Exhibit “D”.

11. The attempted collection of this debt hinders the Debtor’s ability to obtain the “fresh start” afforded through bankruptcy.

#### V. FIRST CLAIM FOR RELIEF

12. Plaintiff incorporates herein by reference each and every allegation contained in paragraphs one (1) through eleven (11) as though set forth herein at length.

13. Defendant, PFFCU’s actions constitute a clear violation of the Discharge Injunction pursuant to §524 of the Bankruptcy Code.

14. As a result of the above contempt of the Discharge Injunction Order, the Defendants are liable to the Plaintiff in the sum of the Plaintiff's actual damages, statutory damages, punitive damages, costs and attorney fees, and sanctions pursuant to § 105 of the Bankruptcy Code. .

**WHEREFORE**, Plaintiff respectfully prays that judgment be entered against Defendant in the amount of:

- a. actual damages;
- b. punitive damages
- c. costs and reasonable attorney's fees;
- d. permanent injunction against PFFCU from collecting this debt
- e. for such other and further relief as may be just and proper.

April 20, 2010  
DATE

/s/ Lee M. Perlman  
LEE M. PERLMAN, ESQUIRE

**Exhibit A**

IN RE Hoogstra, Kimberly L.

Case No. \_\_\_\_\_

Debtor(s) \_\_\_\_\_

(If known) \_\_\_\_\_

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
**(Continuation Sheet)**

CREDITOR'S NAME, MAILING ADDRESS (INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CREDITOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>0709</b>  Old Navy Corporate Bankruptcy Department PO Box 103106 Roswell, GA 30076		2008; Credit card purchases				846.00
ACCOUNT NO.  Credit Control, LLC PO Box 488 Hazelwood, MO 63042-0488		Assignee or other notification for: Old Navy				
ACCOUNT NO.  Creditors Interchange PO Box 1335 Buffalo, NY 14240-1335		Assignee or other notification for: Old Navy				
ACCOUNT NO.  Lvnv Funding Llc PO Box 740281 Houston, TX 77274-0281		Assignee or other notification for: Old Navy				
ACCOUNT NO. <b>7012</b>  Police And Fire Fcu 2837 Southampton Rd Philadelphia, PA 19154-1206		2003; Collection account				6,890.00
ACCOUNT NO. <b>7014</b>  Police And Fire Fcu 2837 Southampton Rd Philadelphia, PA 19154-1206		2006; Collection account				4,283.00
ACCOUNT NO. <b>8586</b>  Police And Fire Fcu 901 Arch St Philadelphia, PA 19107-2404		2008; Credit card purchases				3,772.00
Sheet no. <b>4</b> of <b>6</b> continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			Subtotal (Total of this page)	\$ <b>17,791.00</b>		
Total (Use only on last page of the completed Schedule F. Report also on the Summary of Schedules, and if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)						\$ <b>17,791.00</b>

**Exhibit B**

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT of District of New Jersey**

**Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines**

A Chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 5/29/09.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below.

NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**See Reverse Side For Important Explanations.**

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Kimberly L. Hoogstra  
 aka Kimberly L. Wood  
 192 Denver Ave  
 Mantua, NJ 08051

Social Security/Taxpayer ID/Employer ID/Other Nos.:  
 xxx-xx-8108 (Kimberly L. Hoogstra)

United States Bankruptcy Judge:  
 Honorable Judith H. Wizmur

Attorney for Debtor(s) (name and address):  
 Lee Martin Perlman  
 Lee M. Perlman  
 1926 Greentree Road  
 Suite 100  
 Cherry Hill, NJ 08003  
 Telephone number: (856) 751-4224

Trustee:  
 Linda L. McMackin  
 669 Grove Road  
 Thorofare, NJ 08086  
 Telephone number: (856) 848-3600  
 The United States Trustee, Region 3 appoints the above-named individual as interim trustee as of the date of the filing of the bankruptcy petition.

**Meeting of Creditors:**

Date: **July 6, 2009**

Time: **01:00 PM**

Location: **Bridge View Building, Suite 102, 800 Cooper Street, Camden, NJ 08101**

**Presumption of Abuse under 11 U.S.C. § 707(b)**

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

**Deadlines:**

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:**  
**9/4/09**

**Deadline to Object to Exemptions:**  
 Thirty (30) days after the *conclusion* of the meeting of creditors.

**Creditors May Not Take Certain Actions:**

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

**Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.**

**Creditor with a Foreign Address:**

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

**Address of the Bankruptcy Clerk's Office:**  
 401 Market Street  
 Camden, NJ 08102  
 Telephone number: 856-757-5485

**For the Court:**

Clerk of the Bankruptcy Court:  
 James J. Waldron

Business Hours:  
 8:30 AM – 4:00 p.m., Monday – Friday (except holidays)

Date: **6/2/09**

**EXPLANATIONS**

B9A (Official Form 9A) (12/07)

Proof of Identification and Social Security Number	Important notice to individual debtors: Effective March 1, 2002, all individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in your case being dismissed.
Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the bankruptcy clerk's office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code §362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline.
Discharge of Debts	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code §727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code §523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and any required filing fee by that Deadline. <b>Writing a letter to the court or the judge is not a substitute for the filing of an adversary complaint.</b>
Exempt Property	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any paper that you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
<b>— Refer to Other Side for Important Deadlines and Notices —</b>	

**Certificate of Service Page 3 of 5**

**Undeliverable Notices.** Undeliverable notices will be sent by return mail to the debtor. It is the debtor's responsibility to obtain the party's correct address, resend the returned notice, and notify this office of the party's change of address. Failure to provide all parties with a copy of this notice may adversely affect the debtor as provided by the Bankruptcy Code.

**Case information – telephone access.** Case summary information can be obtained from any touch tone telephone by calling the automated Voice Case Information System (VCIS) at the toll free number: 1-877-239-2547. This service is free of charge and is available 24 hours a day.

**Case information – electronic access.** Case summary and docket information can be obtained from the Public Access to Court Electronic Records (Pacer) System. To register or for more information, please call the Pacer Billing Center at 1-800-676-6856 or visit the Pacer Web Site: <http://pacer.psc.uscourts.gov>.

**Internet access.** Additional information may be available at the Court's Web Site: <http://www.njb.uscourts.gov>.

**CERTIFICATE OF NOTICE**District/Off: 0312-1  
Case: 09-23767User: jliese  
Form ID: b9aPage 1 of 2  
Total Served: 45

Date Rcvd: Jun 02, 2009

The following entities were served by first class mail on Jun 04, 2009.

db +Kimberly L. Hoogstra, 192 Denver Ave, Mantua, NJ 08051-1307  
 aty +Lee Martin Perlman, Lee M. Perlman, 1926 Greentree Road, Suite 100,  
       Cherry Hill, NJ 08003-1100  
 tr +Linda L. McMackin, 669 Grove Road, Thorofare, NJ 08086-2219  
 smg U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +United States Trustee, Office of the United States Trustee, One Newark Center, Suite 2100,  
       Newark, NJ 07102-5235  
 509710947 AES, PO Box 2461, Harrisburg, PA 17105-2461  
 509710948 American Education Services, PO Box 2461, Harrisburg, PA 17105-2461  
 509710949 American Recovery Systems, Inc., 1699 Wall St Ste 300, Mount Prospect, IL 60056-5778  
 509710950 +Bureau Of Collection Recovery, Inc., 7575 Corporate Way Rm 301, Eden Prairie, MN 55344-2000  
 509710951 Cap One, PO Box 5155, Norcross, GA 30091-5155  
 509710952 Chase Receivables, 1247 Broadway, Sonoma, CA 95476-7503  
 509710953 Cit Bank/dfs, 12234 N Ih 35, Austin, TX 78753-1705  
 509710954 Citi, PO Box 20507, Kansas City, MO 64195-0507  
 509710955 Credit Control, LLC, PO Box 488, Hazelwood, MO 63042-0488  
 509710956 Creditors Interchange, PO Box 1335, Buffalo, NY 14240-1335  
 509710957 +Drexel Univ., 3141 Chestnut St, Philadelphia, PA 19104-2875  
 509710958 +Drexel University, 3141 Chestnut St 1ST Fl, Philadelphia, PA 19104-2884  
 509710959 +Encore Receivable Management, Inc., PO Box 3330, Olathe, KS 66063-3330  
 509710960 +Equifax, PO Box 740256, Atlanta, GA 30374-0256  
 509710961 +Experian, PO Box 9701, Allen, TX 75013-9701  
 509710962 Faloni & LaRusso, Esquires, PO Box 1285, Caldwell, NJ 07007-1285  
 509710964 Geneva Roth Ventures, PO Box 148, Mission, KS 66201-0148  
 509710965 High Mountain Funding, PO Box 226, Haledon, NJ 07508  
 509710967 +Jefferson Capital Syst., 16 McLeland Rd, Saint Cloud, MN 56303-4725  
 509710968 Loan Shop Online, 2207 Concord Pike # 250, Wilmington, DE 19803-2908  
 509710971 MRS Associates Inc., 1930 Olney Ave, Cherry Hill, NJ 08003-2016  
 509710970 +Macy's, Attn: Bankruptcy Corporate Department, 6356 Corley Rd, Norcross, GA 30071-1704  
 509710972 +NCO Financial Systems, 3850 N Causeway Blvd Ste 350, Metairie, LA 70002-8195  
 509710974 Omni Credit Services, Inc., PO Box 23381, Tampa, FL 33623-3381  
 509710975 Oxford Management Services, PO Box 1991, Southgate, MI 48195-0991  
 509710977 +Police And Fire Fcu, 901 Arch St, Philadelphia, PA 19107-2495  
 509710976 +Police And Fire Fcu, 2837 Southampton Rd, Philadelphia, PA 19154-1206  
 509710978 Redline Recovery Services, LLC, 1145 Sanctuary Pkwy Ste 350, Alpharetta, GA 30009-4756  
 509710979 Sallie Mae, PO Box 9500, Wilkes Barre, PA 18773-9500  
 509710980 Stokes & Clinton, PO Box 991801, Mobile, AL 36691-8801  
 509710981 +Transunison, PO Box 2000, Crum Lynne, PA 19022-2002  
 509710982 Travel Advantage Network, PO Box 64220, Baltimore, MD 21264-4220  
 509710983 Tri State Financial, PO Box 2520, Wilkes Barre, PA 18703-0018  
 509710984 University Accounting Service, PO Box 932, Brookfield, WI 53008-0932

The following entities were served by electronic transmission on Jun 02, 2009.

509710954 EDI: CITICORP.COM Jun 02 2009 18:33:00 Citi, PO Box 20507, Kansas City, MO 64195-0507  
 509710963 EDI: AMINFOFP.COM Jun 02 2009 18:33:00 First Premier Bank, PO Box 5524,  
       Sioux Falls, SD 57117-5524  
 509710966 +EDI: RMSC.COM Jun 02 2009 18:33:00 JC Penney, Corporate Bankruptcy Department,  
       4125 Windward Plz Bldg 300, Alpharetta, GA 30005-8738  
 509710969 EDI: RESURGENT.COM Jun 02 2009 18:38:00 Lvnv Funding Llc, PO Box 740281,  
       Houston, TX 77274-0281  
 509710973 +EDI: RMSC.COM Jun 02 2009 18:33:00 Old Navy, Corporate Bankruptcy Department,  
       PO Box 103106, Roswell, GA 30076-9106  
 509710985 EDI: USAA.COM Jun 02 2009 18:33:00 Usaa Savings Bank, 10750 McDermott Fwy,  
       San Antonio, TX 78288-1600  
 509710986 EDI: WFNNB.COM Jun 02 2009 18:33:00 Wfnnb/victorias Secret, PO Box 182273,  
       Columbus, OH 43218-2273

TOTAL: 7

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/Off: 0312-1  
Case: 09-23767

User: jlieze  
Form ID: b9a

Page 2 of 2  
Total Served: 45

Date Rcvd: Jun 02, 2009

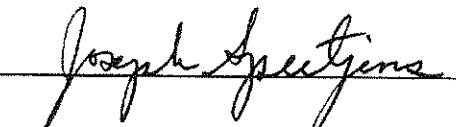
\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 04, 2009

Signature:



**Exhibit C**

**UNITED STATES BANKRUPTCY COURT**

District of New Jersey  
401 Market Street  
Camden, NJ 08102

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Case No.: 09-23767-JHW  
Chapter: 7  
Judge: Judith H. Wizmur

In Re: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Kimberly L. Hoogstra  
aka Kimberly L. Wood  
192 Denver Ave  
Mantua, NJ 08051

Social Security No.:  
xxx-xx-8108

Employer's Tax I.D. No.:

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**DISCHARGE OF DEBTOR**

It appearing that the debtor is entitled to a discharge,

**IT IS ORDERED:**

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

BY THE COURT

Dated: September 11, 2009

Judith H. Wizmur  
United States Bankruptcy Judge

**SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.**

## **EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE**

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

### **Collection of Discharged Debts Prohibited**

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property: There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.]* A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

### **Debts That are Discharged**

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

### **Debts that are Not Discharged**

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts incurred to pay nondischargeable taxes;
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated;
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts; and
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or to the Thrift Savings Plan for federal employees for certain types of loans from these plans.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

**CERTIFICATE OF NOTICE**District/off: 0312-1  
Case: 09-23767User: admin  
Form ID: b18Page 1 of 2  
Total Noticed: 44

Date Rcvd: Sep 11, 2009

The following entities were noticed by first class mail on Sep 13, 2009.

db +Kimberly L. Hoogstra, 192 Denver Ave, Mantua, NJ 08051-1307  
 aty +Edward L. Berger, Gordin & Berger, PC, 1760 Market Street, Suite 600, Philadelphia, PA 19103-4199  
 smg U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +United States Trustee, Office of the United States Trustee, One Newark Center, Suite 2100, Newark, NJ 07102-5235  
 509710947 AES, PO Box 2461, Harrisburg, PA 17105-2461  
 509710948 American Education Services, PO Box 2461, Harrisburg, PA 17105-2461  
 509710949 American Recovery Systems, Inc., 1699 Wall St Ste 300, Mount Prospect, IL 60056-5778  
 509710950 +Bureau Of Collection Recovery, Inc., 7575 Corporate Way Rm 301, Eden Prairie, MN 55344-2000  
 509710952 Chase Receivables, 1247 Broadway, Sonoma, CA 95476-7503  
 509710953 Cit Bank/dfs, 12234 N Ih 35, Austin, TX 78753-1705  
 509710954 Citi, PO Box 20507, Kansas City, MO 64195-0507  
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 509710957 +Drexel Univ., 3141 Chestnut St, Philadelphia, PA 19104-2875  
 509710958 +Drexel University, 3141 Chestnut St 1ST Fl, Philadelphia, PA 19104-2884  
 509710959 +Encore Receivable Management, Inc., PO Box 3330, Olathe, KS 66063-3330  
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 509710965 High Mountain Funding, PO Box 226, Haledon, NJ 07508  
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 509710968 Loan Shop Online, 2207 Concord Pike # 250, Wilmington, DE 19803-2908  
 509710971 MRS Associates Inc., 1930 Olney Ave, Cherry Hill, NJ 08003-2016  
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 509710972 +NCO Financial Systems, 3850 N Causeway Blvd Ste 350, Metairie, LA 70002-8195  
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 509710974 Omni Credit Services, Inc., PO Box 23381, Tampa, FL 33623-3381  
 509710975 Oxford Management Services, PO Box 1991, Southgate, MI 48195-0991  
 509710977 +Police And Fire Fcu, 901 Arch St, Philadelphia, PA 19107-2495  
 509710976 \*Police And Fire Fcu, 2837 Southampton Rd, Philadelphia, PA 19154-1206  
 509710979 Sallie Mae, PO Box 9500, Wilkes Barre, PA 18773-9500  
 509710980 Stokes & Clinton, PO Box 991801, Mobile, AL 36691-8801  
 509710981 +Transunion, PO Box 2000, Crum Lynne, PA 19016-2000  
 509710982 Travel Advantage Network, PO Box 64220, Baltimore, MD 21264-4220  
 509710983 Tri State Financial, PO Box 2520, Wilkes Barre, PA 18703-0018  
 509710984 University Accounting Service, PO Box 932, Brookfield, WI 53008-0932

The following entities were noticed by electronic transmission on Sep 11, 2009.

509710951 EDI: CAPITALONE.COM Sep 11 2009 17:38:00 Cap One, PO Box 5155, Norcross, GA 30091-5155  
 509710954 EDI: CITICORP.COM Sep 11 2009 17:38:00 Citi, PO Box 20507, Kansas City, MO 64195-0507  
 509710963 EDI: AMINFOFP.COM Sep 11 2009 17:39:00 First Premier Bank, PO Box 5524, Sioux Falls, SD 57117-5524  
 509710966 +EDI: RMSC.COM Sep 11 2009 17:38:00 JC Penney, Corporate Bankruptcy Department, 4125 Windward Plz Bldg 300, Alpharetta, GA 30005-8738  
 509710969 EDI: RESURGENT.COM Sep 11 2009 17:38:00 Lvn Funding Llc, PO Box 740281, Houston, TX 77274-0281  
 509710978 EDI: RRSB.COM Sep 11 2009 17:38:00 Redline Recovery Services, LLC, 1145 Sanctuary Pkwy Ste 350, Alpharetta, GA 30009-4756  
 509710985 EDI: USAA.COM Sep 11 2009 17:39:00 Usaa Savings Bank, 10750 McDermott Fwy, San Antonio, TX 78288-1600  
 509710986 EDI: WFNNB.COM Sep 11 2009 17:38:00 Wfnnb/victorias Secret, PO Box 182273, Columbus, OH 43218-2273

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/Off: 0312-1  
Case: 09-23767

User: admin  
Form ID: b18

Page 2 of 2  
Total Noticed: 44

Date Rcvd: Sep 11, 2009

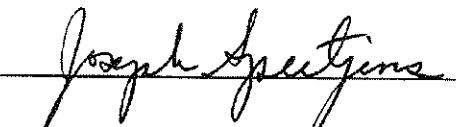
\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 13, 2009

Signature:



**Exhibit D**



PHILADELPHIA MUNICIPAL COURT  
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

34 South 11th Street, Philadelphia, PA. 19107  
Marsha H. Neifield, President Judge Patricia R. McDermott, Deputy Court Administrator

STATEMENT OF CLAIM

Code: Consumer Purchase - (4)

# SC-10-03-17-5076

Police and Fire Federal Credit Union 901 Arch Street Philadelphia, PA 19107	Kimberly Hoogstra 192 Denver Avenue Mantua, NJ 08051
<i>Plaintiff(s)</i>	<i>Defendant(s)</i>

Service Address (information) if other than above:

*To the Defendant: Plaintiff is seeking a money judgment against the Defendant(s) based on the following claim:*

Kimberly Hoogstra, ("Defendant") is a member of the Police and Fire Federal Credit Union ("PFFCU"). On December 15, 2003, Defendant signed a promissory note for a Personal Line of Credit with PFFCU (the "Loan"). Defendant made payments on the Loan, but stopped making payments on or about January 31, 2009. The loan is now in default, and the full balance, plus interest and attorney's fees (per the Membership Agreement and Loan Note) are due. The principal balance remaining on the loan is \$8,910.02.

PFFCU sent several letters to the Defendant and tried to contact the Defendant with regard to the Loan, requesting that the balance be paid in full. To date, no payments have been made, and the loan remains in default. Defendant owes PFFCU, and demand is made for \$9,944.31, plus costs of suit.

**Summons to the Defendant**

You are hereby ordered to appear at a hearing scheduled as follows:

**Citation al Demandado**

Por la presente, Usted esta dirijido a presentarse a la siguiente:

34 South 11th Street  
Philadelphia, PA 19107  
Hearing Room: 4A

April 30th, 2010

01:00 PM

**Amount Claimed**

Principal	\$ 8910.02
Interest	\$ 588.79
Attorney Fees	\$ 445.50
Other Fees	\$ 0.00
<b>Subtotal</b>	<b>\$ 9944.31</b>
Service	\$ 0.00
State Fee	\$ 10.00
Automation Fee	\$ 5.50
Convenience Fee	\$ 5.00
JCS St. Add. Surcharge	\$ 11.25
JCS St. Add. Fee	\$ 2.25
Court Costs	\$ 44.00
<b>TOTAL CLAIMED</b>	<b>\$ 10022.31</b>

Date Filed: 03/17/2010

I, the undersigned, verify and depose that the facts set forth in this Complaint are true and correct and acknowledge that I am subject to the penalties of 18 P.S. 4904 relating to Unsworn Falsification Authorities.

MITCHELL B KLEIN

901 ARCH STREET

PHILADELPHIA, PA 19107

Address & 215-931-2902

Phone

Signature Plaintiff/Attorney

Atty ID #: 051267

NOTICE TO THE DEFENDANT, YOU HAVE BEEN SUED IN COURT.  
PLEASE SEE ATTACHED NOTICES

AVISO AL DEMANDADO LE HAN DEMANDADO EN CORTE. VEA POR FAVOR  
LOS AVISOS ASOCIADOS.

If you wish to resolve this matter without appearing in court, please contact the attorney shown above immediately.